



JPW

PATENT  
Customer No. 22,852  
Attorney Docket No. 9762-0001-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Cara A. PELLEGRINI et al.	)	Group Art Unit: 1614
	)	
Application No.: 10/645,840	)	Examiner: Unknown
	)	
Filed: August 22, 2003	)	
	)	
For: METHOD OF INCREASING THE	)	Confirmation No.: 8135
EXTENT OF ABSORPTION OF	)	
TIZANIDINE	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents as provided by the International Searching Authority are attached. Copies of the U.S. patent publications are not enclosed. A copy of the International Search Report and Written Opinion is attached.

Applicants request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

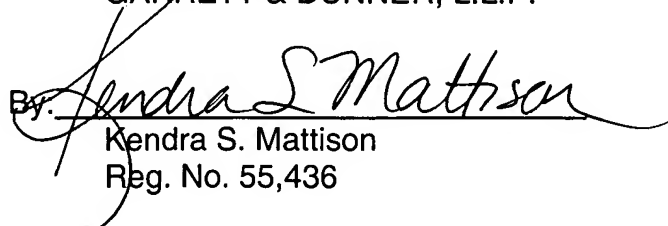
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

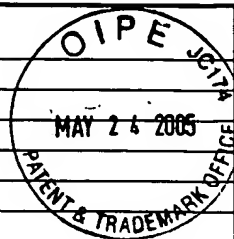
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 24, 2005

By:

  
Kendra S. Mattison  
Reg. No. 55,436

IDS Form PTO/SB/08: Substitute for form 1449A/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)			Application Number	10/645,840	
			Filing Date	August 22, 2003	
			First Named Inventor	Cara A. PELLEGRINI	
			Art Unit	1614	
			Examiner Name	Unknown	
Sheet	1	of	1	Attorney Docket Number	9762-0001-01



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,455,557 B1	09-24-2002	Pellegrini et al.	
		US-6,407,128	06-18-2002	Scaife et al.	

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		ROWLAND, M.B., et al., <i>Absorption</i> , Clinical Pharmacokinetics: Concepts and Applications, pp. 16-33 (1980). (As described and provided by the International Searching Authority)	
		CHARMAN, W.N., et al., <i>Physicochemical and Physiological Mechanisms for the Effects of Food on Drug Absorption: The Role of Lipids and pH</i> , J. Pharmaceutical Sciences, Vol. 86, No. 3, pp. 269-282 (March 1997). (As described and provided by the International Searching Authority)	
		EMRE M., et al., <i>Correlations between dose, plasma concentrations, and antispastic action of tizanidine (Sirdalud®)</i> , J. of Neurology, Neurosurgery and Psychiatry, Vol. 57, pp. 1355-1359 (1994). (As described and provided by the International Searching Authority)	
		MURAKAMI, K., et al., <i>Clinical Evaluation of Tizanidine on masticatory myofascial pain and temporomandibular dysfunction</i> , Oral Therapeutics and Pharmacology, Vol. 14, No. 1, pp. 39-46 (1995). (Abstract as described and provided by the International Searching Authority)	
		International Search Report and Written Opinion for PCT/US/2004/024390, dated December 8, 2004.	

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.